

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER

500 West Madison Street, Suite 3800

Chicago, Illinois 60661-2511

Telephone (312) 876-1800

Facsimile (312) 876-2020

RECEIVED
CENTRAL FAX CENTER

APR 12 2005

Date: April 12, 2005

To: Commissioner for Patents
Fax No. (703) 872-9306

For: Gary L. Welch
Primary examiner
Art Unit 3765

Copy: Docketing Department

From: Allen J. Hoover
Registration No. 24,103
Direct Phone (312) 876-2107
E-Mail AJHOOVER@WOODPHILLIPS.COM

Re: William L. Grilliot *et al.*, Applicants
Application No. 10/726,219
Docket No. MOR3334P2060US

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence (this page and a RESPONSE TO OFFICE ACTION on four pages) is being facsimile transmitted to the Commissioner for Patents at facsimile number (703) 872-9306 on April 12, 2005.



THE MESSAGE TRANSMITTED UNDER THIS COVER IS INTENDED FOR THE NAMED RECIPIENT ONLY, AND MAY CONTAIN BUSINESS CONFIDENTIAL INFORMATION, OR INFORMATION SUBJECT TO ATTORNEY-CLIENT PRIVILEGE, OR ATTORNEY WORK PRODUCT IMMUNITY. IN THE EVENT THIS MESSAGE IS RECEIVED AT A LOCATION WHERE IT CANNOT BE CONVEYED TO THE NAMED RECIPIENT, KINDLY NOTIFY THE SENDER IMMEDIATELY BY TELEPHONE/FACSIMILE (IF LONG DISTANCE, PLEASE CALL COLLECT), AND RETURN THE RECEIVED MESSAGE TO US BY MAIL.

RECEIVED P.02
CENTRAL FAX CENTER
APR 12 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	William L. Grilliot <i>et al.</i>)	
)	
Application:	10/726,219)	Gary L. Welch
)	Primary Examiner
Filing Date:	December 2, 2003)	Art Unit 3765
)	
Docket No.:	MOR3334P2060US)	

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The applicants are responding to the Office Action dated April 6, 2005, through the undersigned attorney. You are requested to reconsider this application for the following reasons.

You are requested to reconsider the rejection of claims 1 through 6 and 10 through 12 under 35 U.S.C. § 102(b) as being anticipated by Barbeau *et al.* (US 6,260,207).

Claim 1, upon which the remaining claims depend directly or indirectly, recites that "the cover is joined to the shroud along an uninterrupted juncture extending around a posterior portion of the head of the wearer, so as to eliminate any gap between the shroud and the cover, where the cover is joined to the shroud."

The applicants traverse the characterization of Barbeau *et al.* that "[t]he cover 35 is joined to the shroud 1 along an uninterrupted juncture extending around the posterior portion of the head of the wearer thereby eliminating any gap between the shroud and the cover."